

## M'MAHON TELLS STORY OF THE SHOOTING

"I Never Fired Those Shots, So Help Me God," He Tells Judge and Jury.

SAYS CEDERLOF SHOT SELF

Case for Defense Closes and the Matter Will Probably Go to Jury Tomorrow.

"Gentlemen of the jury, I never had by hand on the trigger, and I never fired those shots, so help me God," dramatically exclaimed John A. McMahon on the witness stand in his own behalf yesterday afternoon on trial for the alleged murder of Alexander N. Cederlof at Schofield Barracks, September 28.

This statement came as he was standing facing the jury when after explaining to them how he and Cederlof tussled for possession of the revolver in front of the latter's house on that memorable night, and as he finished he sank down in his chair, unnerved for a few moments.

The trial yesterday, from the time the defense took the stand at the morning until it had finished presenting its case just before three o'clock in the afternoon, was full of dramatic incidents. But five witnesses were called by Attorney Andrews, representing McMahon—Sergeant Ferris, a troop fifth cavalry; Mrs. Murphy, stenographer; Lieutenant Boller, second infantry; Mrs. McMahon, and the prisoner himself.

Stories told by both the prisoner and his wife appeared to be straightforward accounts of the happenings of the evening, and under rigid cross-examination by District Attorney Breckons neither of the stories was changed in the slightest detail. Testimony by Sergeant Ferris and Lieutenant Boller materially helped the case of the defense, and today the government will begin with its rebuttal.

When the defense rested in the afternoon yesterday Attorney Andrews said that he would leave the instruction of the jury from the defense entirely in the hands of the court, so it is probable that the case will be finished, as far as testimony is concerned, today and will go to the jury tomorrow, according to the present plans, the jurors stating that they are willing to sit on Saturday.

## NEW COLONEL TO COMMAND SECOND FOOT

According to coast papers of November 25, Colonel John H. Rogers, now at Vancouver Barracks, has been detailed to command the Second Infantry, stationed at Lihou and at Fort Shafter, headquarters, band and two battalions being located at Lihou.

## FIRST RED CROSS SUBSCRIPTION IS ENTERED UPON THE ADVERTISER LIST

The first subscription to reach The Advertiser for the Chinese Red Cross fund was handed in yesterday afternoon, in the form of a check for two hundred and fifty dollars.

The generous donors do not wish to be publicly known, as the Advertiser has for the Red Cross stands, therefore.

Friends.....\$150.00  
Committee.....\$100.00

The first afternoon of active campaigning by the Chinese ladies who are increasing through thousands for

## AGREE NOW ON WHARF PLANS

Harbor Board Adopts Railroad Plan—Longer Wharf With Sheds, Later On.

The board of harbor commissioners at their meeting held yesterday afternoon at two o'clock, definitely decided upon the location of the much-fought-over Hilo wharf, and defined the length and width and class of wharf that shall be built. The committee of the whole discussed all phases of the question thoroughly and passed several resolutions which cleared the atmosphere, and now bring the entire matter down to the form of agreement that shall be entered into between the Territory and the Hilo Railroad Company. The agreement is necessary because of the proviso of the last legislature that such must be made before the harbor commission can call for tenders for wharf construction.

After the commissioners and representatives of various interests had discussed the question of location, soundings, borings, railway terminals and necessity for an early commencement of work on the proposed structure, the commissioners unanimously passed upon the several matters in separate resolutions. They then adjourned to meet when the report of the committee of the whole is in typewritten form so that Chairman McCarthy, of the committee of the whole, may report to the board.

Meanwhile, the board of trade of Hilo is to meet and discuss a proposed form of agreement and during the same interval the commissioners will also discuss an agreement. By the time the Hilo people are ready to present their proposed agreement, it is possible that the commissioners will have reached a point where the frictional point between the Hiloites and the Hilo Railroad Company may be smoothed down and a working basis of agreement reached.

**Important Meeting.**  
At yesterday's important meeting, for it was important in that the delays resulting from several weeks of heated discussion were brought to a close and a concrete consensus of opinion arrived at, the Hilo Railroad Company was represented by L. A. Thurston, B. F. Dillingham, H. F. Dillingham and R. W. Miller; the Inter-Island Steamship Company, by Vice President McLean, and the American-Hawaiian Steamship Company by P. C. Morse. All had more or less to say, particularly with reference to the expert statements of W. E. Rowell, the engineer who made the soundings and borings and planned the Hilo Railroad Company's wharf, and whose statements brought the commissioners and interests closer together than ever.

**Rail Plan Adopted.**  
First of all, the commissioners, toward the conclusion of the session, passed a motion to recommend to the board that the wharf be built in a northerly and southerly direction, on account of the ease for railroad approach and because of less piling and dredging to be done.

Another motion was passed to the effect that the wharf be made with a center fill near the approach, and that the wharf be not less than 200 feet wide and 1400 feet long, with accommodations for two ocean-going steamers, and one inter-island steamer, the latter having a maximum length between perpendiculars of 250 feet.

Finally the board passed a motion to immediately proceed with the designing of a wharf 200 by 1400 feet, the question of the wharf sheds, warehouses, railroad tracks and appliances for conveying sugar, being left for future planning, and the superintendent of public works being authorized to send an engineer to Hilo at once to make further soundings and borings, and to verify other soundings and borings made by the Hilo Railroad Company's engineer, and finally prepare a sketch of the proposed wharf so that the public works department may immediately proceed to design it.

**Inter-Island Plan Impossible.**  
When Mr. Rowell was asked concerning his views on the best location for a wharf, he said he believed the original plan he prepared for the Hilo Railroad Company was best of all, but that

(Continued on Page Eight.)

## FAINT CLEWS IN CULMAN ROBBERY

Some of Plunder There at Daylight—Heel Prints as Evidence.

"The watches were in the Culman window after five o'clock this morning," said Captain Bowers last night, referring to plunder taken by a burglar, or burglars, from the Culman jewelry store, at Fort and Hotel streets.

This means that the burglary that was committed was done after daylight yesterday morning, or that the man or men who did the job were hiding in the store at the time when Bowers was looking in the window, waiting till he left before finishing the work and making their exit.

About \$1400 worth of jewelry was taken. Entrance appears to have been effected by breaking a window on the Hotel street side, where there is a very poor catch lock, which might easily have been reached after the window was broken. Once the breaking was accomplished without attracting attention the rest of the program was easy.

"It is the work of some new arrival," said Chief of Detectives McDuffie. "None of our own operators are up to a job like that. The window was broken by throwing a beer bottle through it. The bottle was thrown with such force that it carried glass with it half way across the store. One quick, sharp noise, and the way was clear."

**Saw Men With Bottles.**

McDuffie was on the corner himself at about two o'clock in the morning, and saw several sailors, some of them with beer bottles in their hands. In fact, the corner seems to have been unusually well inspected during the night, for Bowers passed along at about half-past three and one of his men was also there during the night and, as already stated, Bowers was at the place again at daylight. He says he didn't notice anything wrong with the window, but cannot say that it was unbroken. "I have given Mr. Culman warning about a dozen times about the unsafeness of that catch," said Bowers. "It is poor that it has frequently been blown open by the wind, and I have repeatedly shut it. I doubt whether I should have bothered if I had seen it broken."

**The Only Clue.**  
McDuffie set the machinery of his department at work early yesterday to search for the stolen goods and those guilty of the crime. It is thought that several were in the job, but apparently only one man entered the store. The only trace he left was the imprint of his rubber heel shoes, on the window sill.

At one time during the evening half a dozen men were seen standing in front of the window that was broken. If they were all in the job, it might have been easy for one of them, after the window was broken and the catch released, to enter and gather jewelry while the others crowded about the door in front, making merry while he gathered the loot.

There was a heavy rainstorm at about half-past three, and this afforded a fine opportunity for breaking the window, as the rain made noise enough so that the noise of breaking glass could not have been heard very far.

**Another Store Burglarized.**

John Effinger's store in the Young Hotel was burglarized twice within the past week. Entrance was made through a transom in the rear of the store, and on Thursday of last week about \$100 worth of jewelry, curios, etc., was taken. On Tuesday of this week the job was repeated, with twice the amount of booty. There are no clues in these cases.

## POLICE FORCE SHRINKING AS THE CITY GROWS LARGER—SIX PATROLMEN A SHIFT

"I very strongly agree with The Advertiser as to the need of a larger police force," said Sheriff Jarrett yesterday. "The local police force has decreased about as fast as the size of the town has increased. I haven't the exact figures here, but I am told that when Brown was sheriff under the territorial government he had about fifty officers, and the same number when he was county sheriff. We have eight mounted officers, eight in the detective force, and eighteen foot policemen."

"The detective force is far too small. The eight men in McDuffie's department have to work almost day and night half the time. One reason why eight men is really such a small force is that it is necessary to have a Chinaman, a Japanese, Hawaiian, Porto Rican, Filipino and Korean. The force should be doubled."

"The eight mounted patrolmen we have are all on night duty, so that some to be the best time to use them. Honolulu extends from Manoa to Kaimuki and Waikiki. There are only six foot police to cover the central part of the city, and the various outlying districts, where it is necessary to station men. The slightest disturbance we have six in three squads, working night and day."

It is evident that in case of emergency we have nothing to fall back upon, and that every officer on patrol has to cover far too much territory. I have asked for more men, but cannot get them from the supervisors. It is certainly a strange proposition to cut the police force down as fast as the city grows."

## REBEL LEADERS TO ACCEPT CONSTITUTIONAL MONARCHY



GENERAL LI YUEN HENG. Commander of the revolutionary army, who now favors a constitutional monarchy.

## COURT MARTIAL EXTRAORDINARY

Army Officer May Face Charges on Arrival at Honolulu—Judge Advocate Takes Action.

According to a letter received yesterday in Honolulu from a prominent American publishing house, a certain officer of the army, lately ordered to Honolulu and now at the Presidio, San Francisco, awaiting transportation, will face a court martial here on charges of an unusual character.

It appears that a New York magazine writer—a correspondent of the Times during the Spanish-American war—was the author of a novel, the manuscript of which the army officer bought with the intention of publishing under his own name. The work, a pretentious romance of some four hundred pages, is now in stereotype form and ready for the press, but the publishers, a leading book concern of Boston, refuse to go ahead with the work until an adjustment of affairs is made.

The adjutant general of the army, upon endorsement by Judge Advocate General Crowder, communicated with the Boston publishing firm requesting it not to issue the book under the supposed author's name until the department was satisfied that "the said officer did write the work or had at least paid for it." The publishers have replied that they would gladly pay \$3000 for

## QUESTION OF REASONABLENESS OF THE BANANA REGULATION TO BE ARGUED

The banana test case was taken up by Circuit Judge Cooper yesterday afternoon, with Deputy Attorney General E. W. Sullivan and Attorney E. C. Felt appearing for the prosecution and defense respectively. The case is against George Looze, charged with having banana plants on his premises in violation of the recent ban on health regulations.

A new legal point was argued by Felt, involving a much more general test of the power of the board of health than was originally presented. He said that the question might come up as to whether the board's regulation is in conflict with the police power of the city and county, and he would like to have that point settled, so that the way might be clear to try the case and get a ruling from Judge Cooper as to whether the regulation is reasonable.

It was agreed to take the evidence, with an understanding that Felt might later put in a demurrer or plea which would go direct to the supreme court, settling the question of the board's authority. Proof was duly given of the fact that Looze has banana plants, and the necessary documents for the appeal will be filed tomorrow. When the ruling is given, the case will come back to Judge Cooper for final involving a decision as to the reasonableness of the regulation.

## General Li Agrees With Yuan Shih-Kai for Peace

Armistice Continued for Two Weeks, Pending Settlement

WUCHANG, China, December 8.—All indications now point to the ending of the rebellion in the northern and middle provinces, as General Li Yuen Heng, commander of the revolutionary army, and other leaders of the rebels, yesterday decided to accept a constitutional monarchy form of government under the leadership of Premier Yuan Shih-Kai, or some other satisfactory ruler.

It is announced that this decision has been reached by the leaders to avoid further bloodshed and the possible disruption of the country, as well as the danger of intervention by the foreign powers should complications follow further warfare.

**Can Out Of Their Queues.**  
PEKING, December 8.—An edict was issued yesterday under the auspices of the Premier sanctioning the cutting off of queues by all who desire to do so.

The armistice between the Imperialists and the revolutionists has been continued until December 21, pending negotiations for a permanent peace.

In a number of the rebellious provinces tribute to the throne has again been commenced, which is considered an encouraging sign that peace is in sight.

**Still for Republic.**

SHANGHAI, December 8.—The five southern provinces have issued a statement reiterating the demand for the abdication of the emperor and the establishment of a republican form of government.

**Foreign Loan Fails.**  
SAN FRANCISCO, December 7.—According to reports here, the attempt of General Yuan Shih-Kai, the Chinese leader, to secure a foreign loan for the imperial government, has failed.

## ORGANIZED LABOR NOW DENOUNCES THE M'NAMARAS

WASHINGTON, December 8.—The McNamara ways and means committee of the American Federation of Labor issued a statement yesterday in which the McNamaras, until their confession the heroes of the labor unions, are branded as recreant to the good name and high ideals of organized labor.

The statement also expresses the satisfaction of organized labor that the culprits have been commensurately punished for their crimes, and condemns the McNamaras for their inhumanity.

It declares that organized labor should not be held legally or morally responsible for the crimes of individuals.

**Probing Dynamite Plot.**  
LOS ANGELES, December 7.—The federal grand jury is investigating what is declared to be a countrywide dynamiting conspiracy.

Ortie A. McManigal, whose confession aided in bringing the McNamaras to justice, went before the grand jury today and testified to details of the dynamiting plot. The McNamaras declare they will not testify before the jury.

## SOCIALISTS WILL TRY TO CAPTURE CALIFORNIA

LOS ANGELES, December 8.—Following the municipal election here in which Job Harriman, the Socialist candidate, was beaten for mayor by George Alexander, the Socialist central committee has announced that it will proceed to conduct a statewide campaign of propaganda, especially among the women.

## UNION'S BOOKS SEIZED AND AGENT SUMMONED

SALT LAKE CITY, Utah, December 8.—The local federal authorities have seized the books of the Ironworkers' union and have summoned the business agent of the organization to appear before the federal grand jury.

## KING AND QUEEN WELCOMED

DELI, December 7.—Their Majesty, the Emperor and Empress of India were received here with a great procession.